

HOUSE BILL 1114

By Leatherwood

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 8; Title 49 and Title 71, relative to child care
services for state employees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 50, is amended by adding
the following as a new part:

(a) The department of human services shall approve, administer, and coordinate child care services for the children of state officers and employees. Such duties include, but are not limited to, reviewing and approving requests from state agencies for child care services; providing technical assistance on child care program startup and operation; and assisting other agencies in conducting needs assessments, designing centers, and selecting service providers. The department of human services shall coordinate all duties regarding the placement, design, or any other structural needs for the facility with the department of general services. Primary emphasis for child care services must be given to children who are not subject to compulsory school attendance pursuant to § 49-6-3001.

(b) Child care programs may be located in state-owned office buildings, educational facilities and institutions, and, with the consent of the speaker of the senate and the speaker of the house of representatives, in buildings and spaces used for legislative activities. The state shall provide the space to a sponsoring agency, if it is available.

(c) The provider of proposed child care services must be selected by competitive contract. Requests for proposals must be developed with the assistance of the

sponsoring state agency, and are subject to the approval of the sponsoring state agency and the department of human services. The department of general services shall coordinate with the sponsoring state agency and the department of human services to determine the total cost of the build out for each individual project. Once a cost is determined, the department of general services, in coordination with the sponsoring state agency, shall procure the child care services from a qualifying vendor, using the policy, procedures, and rules from the central procurement office. The vendor that is awarded the contract shall cover all costs of the build out under the contract.

(d) An operator selected to provide services must comply with all state and local standards for the licensure and operation of child care facilities, maintain adequate liability insurance coverage, and assume financial and legal responsibility for the operation of the program. Neither the operator nor any personnel employed by or at a child care facility are employees of the state.

(e) A state agency may enter into a partnership with local municipalities to jointly provide child care services to state and municipal employees.

(f) The commissioner of human services is authorized to promulgate rules to effectuate the purposes of this part. All rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.